

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Atty. Docket: EILAT=3

In re Patent of:	)	Confirmation No.: 7541
	)	
Eran EILAT	)	Washington, D.C.
	)	
U.S. Patent No. 8,030,362	)	March 7, 2012
	)	
Issued: October 4, 2011	)	ATTN: Certificate of Correction Division
	)	
For: COMPOSITIONS FOR TREATMENT	)	
OF EAR DISORDERS...	)	

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop Post Issue  
401 Dulany Street  
Alexandria, Virginia 22314

**REQUEST FOR EXPEDITED ISSUANCE OF CERTIFICATE OF CORRECTION  
UNDER 37 C.F.R. §1.322**

Sir:

In checking over the printed copy of the above-identified design patent, we have found the following error that is entirely the fault of the Patent and Trademark Office. It is respectfully requested that this error be corrected in accordance with 37 CFR §1.322(a) and that the issuance of the certificate be expedited in accordance with MPEP §1480.01. The error to be corrected is listed below.

The PTO erred by the omission of the provisional applications for which the patent claims priority.

In accordance with MPEP §1480.01, this certificate is entitled to expedited issuance as the error is attributable solely to the Patent and Trademark Office. As proof that unequivocally

In re Patent Eran Eilat  
U.S. Patent No. 8,030,362  
Date: March 7, 2012

supports patentee's assertions, attached hereto, as supporting documentation, is a copy of the Declaration filed February 2, 2007, which properly lists the provisional application numbers 60/530,014 and 60/587,510 and states that the benefit of these applications under 35 USC 119(e) is claimed.

The above-mentioned declaration clearly shows that the priority claim was properly made. Accordingly, it is clear that this omission error was solely an error of the PTO. Granting of this request and issuance of the attached certificate of correction on an expedited basis are therefore earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicants

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## Combined Declaration for Patent Application and Power of Attorney

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### COMPOSITION FOR TREATMENT OF EAR DISORDERS AND METHODS OF USE THEREOF

the specification of which (check one)

- ☐ is attached hereto;  
☐ was filed in the United States under 35 U.S.C. §111 on \_\_\_\_\_, as  
U.S. Appln. No. \_\_\_\_\_\*; or  
☒ was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an international  
(PCT) application, PCT/IL04/001122; filed December 12, 2004, entry requested on June 12, 2006\*;  
national stage application received U.S. Appln. No. \_\_\_\_\_\*; §371/§102(c) date \_\_\_\_\_\*  
(\* if known)

and was amended on \_\_\_\_\_ (if applicable).

(include dates of amendments under PCT Art. 19 and 34 if PCT)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119 (a)-(d) and 365 (b) of any prior foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or under §365(a) of any PCT application which designated at least one country other than the U.S., listed below:

Application No.	Country	Filing Date (MM/DD/YYYY)
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_____	_____	_____
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If I claimed foreign priority above, I hereby identify below any foreign application for patent (including an international (PCT) application designating a country other than the United States) or for an inventor's or plant breeder's certificate, having a filing date before that of the earliest application from which foreign priority is claimed (if left blank, then there are none):

Non-Priority Application No.	Country	Filing Date (MM/DD/YYYY)
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_____	_____	_____
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I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional applications listed below:

Application No.	Filing Date (MM/DD/YYYY)
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<u>60/530,014</u>	<u>12/12/2003</u>
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<u>60/587,510</u>	<u>07/14/2004</u>
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I hereby claim the benefit under 35 U.S.C. §120 of any prior U.S. non-provisional application(s) or under §365(c) of any prior PCT international application(s) designating the U.S., listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date (MM/DD/YYYY)	Status (patented, pending, abandoned)
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_____	_____	_____
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As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444

Direct all correspondence to the address associated with Customer Number 001444, which is presently:

BROWDY AND NEIMARK, P.L.L.C.  
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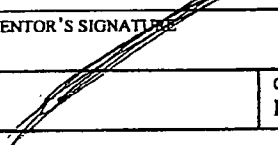
Title: COMPOSITIONS FOR TREATMENT OF EAR DISORDERS AND METHODS OF USE THEREOF

U.S. Application filed \_\_\_\_\_, Serial No. \_\_\_\_\_

PCT Application filed December 12, 2004, Serial No. PCT/IL04/001122

The undersigned hereby authorizes the U.S. Attorneys or Agents appointed herein to accept and follow instructions from Webb & Associates, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorneys or Agents and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents appointed herein will be so notified by the undersigned.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR Eran EILAT	INVENTOR'S SIGNATURE 	DATE Jan 22 <sup>nd</sup> 2005
RESIDENCE Herzliya, Israel	CITIZENSHIP Israel	
POST OFFICE ADDRESS 1 Oley Bavel Street, 46344-Herzliya, Israel		
FULL NAME OF SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF THIRD JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF FOURTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF SIXTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

ALL INVENTORS MUST REVIEW APPLICATION AND DECLARATION BEFORE SIGNING. ALL ALTERATIONS MUST BE INITIALED AND DATED BY ALL INVENTORS PRIOR TO EXECUTION. NO ALTERATIONS CAN BE MADE AFTER THE DECLARATION IS SIGNED. ALL PAGES OF DECLARATION MUST BE SEEN BY ALL INVENTORS.